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Filing date: **12/11/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046807
Party	Plaintiff FIJI Water Company LLC, and Paramount International Export, Ltd.
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Submission	Stipulated/Consent Motion to Extend
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Signature	/s/ Danielle M. Criona /s/
Date	12/11/2009
Attachments	Consented Motion to Extend Schedule 12-11-09.pdf (4 pages)(590728 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Reg. No. 2523167

Mark: UNTOUCHED BY MAN. PERFECT BY NATURE

FIJI WATER COMPANY LLC, AND
PARAMOUNT INTERNATIONAL
EXPORT, LTD.

Petitioners,

V.

DANONE WATERS OF AMERICA, INC.,

Respondent.

Cancellation No. 92046807

**CONSENTED MOTION TO EXTEND
SCHEDULE AND PETITIONER'S
NOTICE OF APPEARANCE**

CONSENTED MOTION TO EXTEND SCHEDULE

Petitioners Fiji Water Company LLC and Paramount International Export, Ltd. (“Petitioners”) hereby move, with the consent of Registrant Danone Waters of America, Inc.(“Registrant”), to extend the schedule of all pending deadlines in this cancellation proceeding by 90 days. This extension is requested solely for purposes of discussing and finalizing a settlement of this matter and not for purposes of delay.

In compliance with the Board's Order of February 12, 2009 requiring a detailed report on the progress of settlement discussions, Petitioners hereby advises the Board as follows.

Since the parties last requested an extension of time on September 8, 2009, Registrant's in-house counsel, Nancy Dowling, and Petitioners' in-house counsel, Douglas Sugimoto, had a telephone conference to discuss certain of Registrant's comments to the revised draft settlement

agreement that the parties had previously drafted and exchanged. Subsequently, on October 9, 2009, Registrant's in-house counsel sent comments on the draft settlement agreement to Petitioner's in-house counsel. Following receipt of the Registrant's comments to the draft settlement agreement, in-house counsel for Petitioner reviewed the proposed settlement agreement with decision-makers at the Petitioner and requested certain business information from Petitioner in order to more fully advise his client. Due to delays in receiving the requested information from individuals within Petitioner's organization, Petitioner has been unable to fully respond to each of Registrant's comments. As recently as the morning of this filing, however, the parties discussed some of the remaining issues to be resolved. Petitioner anticipates being able to respond more fully to Registrant within the next week and the parties anticipate resolving this matter after the holidays.

Consequently, while a full 90-days may not be needed, in an abundance of caution and to allow the parties to focus their time and attention on a settlement, the parties are requesting a 90-day extension of all pending deadlines in this cancellation proceeding.

WHEREFORE, Petitioners, with Respondent's consent, respectfully requests that all pending deadlines be rescheduled by 90 days as follows:

Close of Discovery	03/11/2010
Thirty-day testimony period for party in position of plaintiff to close	06/09/2010
Thirty-day testimony period for party in position of defendant to close	08/08/2010
Fifteen-day rebuttal testimony period to close	09/22/2010

Applicant's attorney, Nancy Dowling, has stipulated to all the relief requested in this motion.

PETITIONER'S NOTICE OF APPEARANCE

Please enter the appearances of Craig B. Cooper, Esq. and Danielle M. Criona, Esq. as attorneys of record for Petitioners Fiji Water Company LLC and Paramount International Export, Ltd., Petitioners, in the above-referenced action.

Please address all correspondence to Petitioners to Craig B. Cooper, Esq., Senior Vice President & Chief Legal Officer, Roll International Corporation & Affiliates, 11444 West Olympic Boulevard, 10th Floor, Los Angeles, CA 90064.

Respectfully Submitted,

FIJI Water Company LLC and Paramount
International Export, LTD.

Date: December 11, 2009

By: 
Craig B. Cooper
Danielle M. Criona
11444 West Olympic Blvd., 10th Floor
Los Angeles, California 90064
Tel. (310) 966-5728
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CERTIFICATE OF SERVICE

I, Jan Henry, hereby certify that a copy of this CONSENTED MOTION TO EXTEND
SCHEDULE AND PETITIONER'S NOTICE OF APPEARANCE has been served, upon:

Scott E. Thompson, Esq.
Daniel I. Schloss, Esq.
Masahiro Noda, Esq.
GREENBERG TRAURIG, LLP
200 Park Avenue, 34th Floor
New York, New York 10166

by first class mail, postage prepaid, on this 14th day of December, 2009.

By:


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